

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0086
Boys and Girls – Legacy Club

P.C. DATE: October 27, 2015
October 13, 2015

ADDRESS: 4717 Turner Lane

AREA: 10.369 Acres

DISTRICT: 1

OWNER: Jimmy Nassour

AGENT: Drenner Group (Stephen Rye)

FROM: SF-3-NP, SF-6-NP, and LR-CO-NP

TO: GR-CO-NP

NEIGHBORHOOD PLAN AREA: University Hills

SCENIC ROADWAY: No

WATERSHED: Walnut Creek and Little Walnut Creek

TIA: n/a

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SUMMARY STAFF RECOMMENDATION:

Staff supports the rezoning request with the following conditions:

1. Site development shall not generate more than 2,000 vehicular trips per day.
2. The following land uses shall be prohibited: Automotive repair services, Automotive sales, Service station, Commercial off-street parking, Automotive rentals, Automotive washing (of any type), Funeral services, Bail bond services, Group home, Class II, Drive-in service as an accessory use to a commercial use, and Off-site accessory parking.

The Applicant has agreed to the items listed above.

PLANNING COMMISSION RECOMMENDATION:

October 13, 2015: *TO GRANT POSTPONEMENT TO OCTOBER 27, 2015, AS REQUESTED BY STAFF, ON CONSENT (11-0) [N. Zaragosa- 1st, J. Stevens- 2nd; S. Oliver- Absent]*

DEPARTMENT COMMENTS:

The subject property is located along the western frontage of Ed Bluestein Boulevard between Manor Road and Loyola Lane. The property is zoned SF-3-NP, SF-6-NP, and LR-CO-NP and is undeveloped. Immediately to the north is property zoned GR-NP that is also undeveloped. Further north, at the intersection of Manor Road and Ed Bluestein, is property zoned GR-V-NP that is developed with a shopping center that includes a grocery store. Immediately east of the property is Ed Bluestein Boulevard; further east is undeveloped land zoned GR. South of the subject property are an undeveloped parcel (SF-6-NP), a single-family residential neighborhood (SF-2-NP), and another undeveloped parcel (GR-MU-NP). West of the property are several undeveloped properties zoned LR-MU-CO-NP, GR-CO-NP, and GR-MU-CO-NP, as well as a property developed with multifamily that is zoned MF-2-NP. The conditional overlays applied to the commercial properties in the vicinity have been incorporated into the Staff recommendation, thereby prohibiting intensive land uses. Please see *Exhibits A and B (Zoning Map and Aerial View)*.

Turner Lane is an unconstructed private road with a 12' ROW easement that extends from Manor Road to the northwest corner of the subject property. The easement does not continue in its west-to-east route, but turns south on the subject property as another 12' ROW easement. There are currently no plans by the City of Austin to

construct roadway improvements to Ashland Drive. The Applicant is examining the possibility of access to Turner Lane. Staff recommends that the property have access from two different external streets, with the location to be determined at site plan. Please see *Exhibit C (Property Survey)*.

Correspondence has been received in favor and in opposition to the proposed rezoning. Please see *Exhibit D (Correspondence)*.

STAFF RECOMMENDATION:

Staff supports the rezoning request with the following conditions:

1. Site development shall not generate more than 2,000 vehicular trips per day.
2. The following land uses shall be prohibited: Automotive repair services, Automotive sales, Service station, Commercial off-street parking, Automotive rentals, Automotive washing (of any type), Funeral services, Bail bond services, Group home, Class II, Drive-in service as an accessory use to a commercial use, and Off-site accessory parking.

The recommended GR-CO-NP is an appropriate zoning category for a property on the frontage road of a highway. By duplicating the conditional overlays applied to other commercial properties in the area and limit vehicular trips, the property would be subject to similar development standards. Compatibility standards will also apply, adjacent to single-family used and zoned properties.

1. Granting of the request should result in an equal treatment of similarly situated properties.

There are several GR zoned properties in the vicinity of the subject property. Its location on the Ed Bluestein Boulevard frontage road between a GR-NP and a GR-MU-NP property demonstrates that this is an appropriate location for GR-CO-NP zoning. Additionally, by duplicating the conditional overlays applied to other commercial properties in the area, the rezoning directly reflects the zoning character of the area.

2. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

As stated above, there are several GR zoned properties in the vicinity of the subject property. There are also residential developments to the south of the property with a range of zoning from SF-2-NP to GR-MU-NP (multifamily). The GR-CO-NP zoning recommended by Staff eliminates the most intensive land uses to provide an appropriate transition to the more intense retail development to the north. Additionally, compatibility standards will be applied between the SF-2-NP neighborhood and the GR-CO-NP tract.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP, SF-6-NP, LR-CO-NP	Undeveloped
<i>North</i>	GR-NP, GR-V-NP	Undeveloped, Retail center
<i>South</i>	SF-6-NP, SF-2-NP, GR-MU-NP	Single family residences, Undeveloped
<i>East</i>	Ed Bluestein Blvd., GR	Highway, Undeveloped
<i>West</i>	LR-MU-CO-NP, GR-CO-NP, GR-MU-CO-NP, MF-2-NP	Undeveloped, Multifamily, Business park

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Ashland Drive	50'	30'	Local	No	No	Yes
Ed Bluestein Blvd. / Hwy 183	300'	150'	Highway	No	No	No

RELATED ZONING CASES:

CITY FILE # / NAME	ZONING FROM	ZONING TO	STAFF REC.	PLANNING COMMISSION	CITY COUNCIL
C14-2007-0006 University Hills Neighborhood Plan *	Tract 211: SF-3, NO-CO Tract 222: SF-3	Tract 211: SF-6-NP Tract 222: LR-CO-NP	Tract 211: SF-6-NP Tract 222: LR-CO-NP. Prohibited use: Service station	Tract 211: SF-6-NP Tract 222: LR-CO-NP. Prohibited use: Service station	08/09/2007: Approved as recommended. Ord. No. 20070809-056
C14-2008-0034 Retail Center	GR-NP	GR-V-NP	Recommended	Recommended	08/21/2008: Approved Ord. No. 20080821-050

*Tracts 211 and 222, listed in the table above, are portions of the proposed rezoning tract, and were rezoned as part of the zoning ordinance created in conjunction with the University Hills Neighborhood Plan. Also at that time, other nearby commercial tracts were assigned conditional overlays that Staff believes are appropriate for the proposed GR-CO-NP. The Applicant has agreed to prohibit these uses. Some or all of Tracts 212, 213, 214, 215, and 219 prohibited the following land uses: Automotive repair services, Automotive sales, Service station, Commercial off-street parking, Automotive rentals, Automotive washing (of any type), Funeral services, Bail bond services, Group home, Class II, Drive-in service as an accessory use to a commercial use. Off-site accessory parking was made a conditional use on several tracts. The Applicant has agreed to prohibit all of these uses.

SCHOOLS:

Winn Elementary School

Girls have an option to attend the Sadler Means Young Women's Leadership Academy.

Boys have an option to attend the Garcia Young Men's Leadership Academy.

LBJ High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation

AISD

Bike Austin

Friends of Austin Neighborhoods

Preservation Austin

Sierra Club, Austin Regional Group

Austin Neighborhood Council

East Austin Conservancy

Del Valle Community Coalition

Friends of the Emma Barrientos MACC

SEL Texas

University Hills Neighborhood Association

University Hills Neighborhood Plan Contact Team

CITY COUNCIL DATE/ACTION:

November 12, 2015:

ORDINANCE READINGS: 1st 2nd 3rd **ORDINANCE NUMBER:**

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 512-974-2122

ADDITIONAL STAFF COMMENTS:**SITE PLAN**

- SP1. Site plans will be required for any new development other than single-family or duplex residential.
- SP2. Any new development is subject to Subchapter E: Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP3. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
- SP4. The site is subject to compatibility standards. Along the south property line, the following standards apply:
- No structure may be built within 25 feet of the property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - No parking or driveways are allowed within 25 feet of the property line.
 - A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 - An intensive recreational use, excluding a multi-use trail and including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining property.
 - Additional design regulations will be enforced at the time a site plan is submitted.

TRANSPORTATION

1. Additional right-of-way maybe required at the time of subdivision and/or site plan.
2. The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for IH 183. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped [LDC, Sec. 25-6-51 and 25-6-55].
3. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]
4. A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff for Ashland Drive. Results will be provided in a separate memo. LDC, Sec. 25-6-114. Provide traffic counts for Ashland Drive to this reviewer.
5. Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056. *No comments at this time.*
6. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on IH 183 or Ashland Drive.
7. Staff recommends that the property have access from two different external streets. Exact design and location will be reviewed and approved at time of subdivision or site plan, whichever comes first.

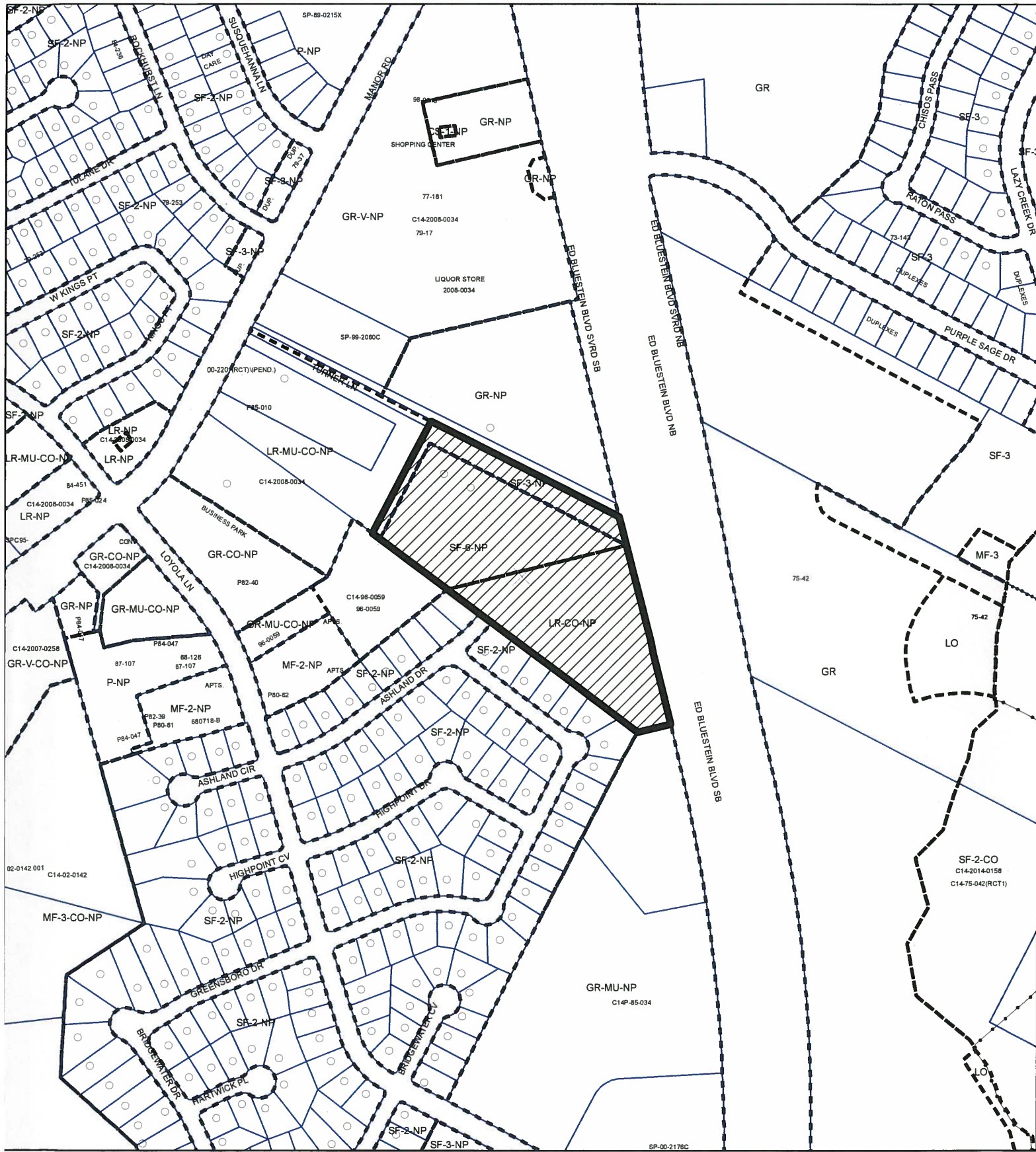
ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed (classified as Urban) and the Walnut Creek Watershed (classified as Suburban) of the Colorado River Basin. It is in the Desired Development Zone.
2. According to floodplain maps there is no floodplain within or adjacent to the project location.
3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
5. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.
6. In the Urban Watershed portion of the property zoning district impervious cover limits apply.
7. In the Suburban Watershed portion of the property development is subject to the following impervious cover limits:




<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

WATER UTILITY

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

Zoning Case: C14-2015-0086

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





LINE	BEARING	DISTANCE
L1	S 62°06'30" E (S 62°03'00" E)	32.81' (32.38')
L2	S 78°07'58" W (S 78°07'00" W)	106.26' (106.44')
L3	N 48°06'17" E (N 48°17'00" E)	37.35' (37.35')

HEB GROCERY COMPANY LP
LOT 2 - H.E.B. AUSTIN NO. 13
SUBDIVISION
DOC. #200000080

12' RIGHT OF WAY
EASEMENT 238/379

TURNER LANE

GRAVEL DRIVE

TELEPHONE PEDESTAL
WATER METERS

110.86'

224.82'

149.89'

64.24'

93.74'

18" CMP

203.57'

(S 62°08'00" E 633.71')

(S 62°07'30" E 633.22')

(S 11°32'00" E 882.31')

(S 11°32'00" E 882.12')

ED BLUESTEIN BLVD. (R.O.W. VARIES)

10.365 AC.

JIMMY NASSOUR
(10.369 ACRES)
DOC. #2013145739

12' RIGHT OF WAY EASEMENT 238/379

N 27°55'44" E 379.20'

N 27°54'00" E 379.20'

LOT 1B - THE BLUFFS OF
UNIVERSITY HILLS
A RESUBDIVISION OF
LOT 1, BLOCK B
VOL. 84, PG. 54A

LOT 13
BLOCK B

ASHLAND DRIVE

LOT 1 LOT 2 LOT 3 LOT 4 LOT 5 LOT 6 LOT 7

THE BLUFFS OF UNIVERSITY HILLS
SECTION 1 - VOL. 42, PG. 12

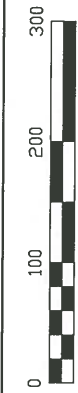
LOT 1

GOLD STAR REALTY INC.
LOT 1
GREGORY W NEUMAN
SUBDIVISION
DOC. #2000159678

NAIL FND IN CONC

NAIL FND

5/8 IRF

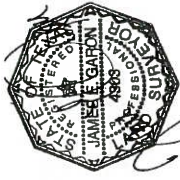


- LEGEND**
- CALCULATED POINT
 - 1/2" REBAR FOUND (UNLESS NOTED)
 - STAMPED J.E. GARNON RPLS 4303
 - 1/2" PIPE FOUND (UNLESS NOTED)
 - IRON ROD W/CAP FOUND
 - CONCRETE HIGHWAY MONUMENT FOUND
 - COTTON SPINDLE FOUND
 - 604 NAIL FOUND
 - 604 NAIL SET
 - FENCE POST FOUND
 - TREE (SIZE & TYPE NOTED)
 - WIRE FENCE
 - WOOD FENCE
 - CHAIN LINK FENCE
 - IRON FENCE
 - POWER POLE
 - OVERHEAD ELECTRIC LINE
 - DOWN GUY
 - FIRE HYDRANT
 - PUBLIC UTILITY EASEMENT
 - DRAINAGE EASEMENT
 - BUILDING LINE
 - RESTRICTIVE COVENANTS (R.C.)
 - BLUEPRINT ELECTRIC COOPERATIVE (B.E.C.)
 - AQUA WATER SUPPLY CORPORATION (A.W.S.C.)
 - RECORD CALL (REC.-DST.)

TO THE OWNERS, LIENHOLDERS AND TITLE COMPANY:

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON.

THE UNDERSIGNED DOES FURTHER CERTIFY THAT THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NO. 48453C04701, EFFECTIVE AUGUST 18, 2014.



SEPTEMBER 23, 2014



JAMES E. GARON & ASSOC.
PROFESSIONAL LAND SURVEYORS
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jgaron@austin.rr.com

FILE: Server: Co\Trans\Sur\J.C. Tannehill\58814 FLD. BK: 470/03

REFERENCE: NASSOUR
ADDRESS: 4711 TURNER LANE, AUSTIN, TEXAS
LEGAL DESCRIPTION: 10.365 ACRES OUT OF THE J.C. TANNEHILL LEAGUE A-22, TRAVIS COUNTY, TEXAS, RECORDED IN DOC. #2015145739, D.R.T.C.T.

From: The University Hills Neighborhood Plan Contact Team

To: Maureen Meredith, Senior Planner
Maureen.Meredith@austintexas.gov
City of Austin - Planning & Zoning Dept.
505 Barton Springs Rd, 5th Floor, Austin, TX 78704

Re: NPA-2015-0023.01_Boys & Girls Club

Date: Tuesday, October 6, 2015, 2:20 p.m.

Dear Ms. Meredith,

The University Hills Neighborhood Plan Contact Team at the regular meeting of May 18, 2015, heard a presentation by the Drenner Group and others regarding a proposed Boys and Girls Club facility in University Hills on Hwy. 183 with access also from Turner Lane/Ashland Dr. All members of the UHNPCT were also present at the meeting set up by your department on August 17, 2015, at which the same people presented details regarding the proposed project and received feedback and answered questions from the approximately 70 people from the University Hills area.

After extensive discussion following these two presentations, the University Hills Neighborhood Plan Contact Team voted unanimously to not support the plan amendment that has been requested and which is referenced in your correspondence as NPA-2015-0023.01_Boys & Girls Club.

Regarding your email of 12:08 p.m. today changing the deadline to have this letter to your office from tomorrow to today at 3:30 p.m., the UHNPCT also is registering its extreme dissatisfaction at the exceptionally short notice of three hours to do so.

Sincerely,

Lynn Marshall, Vice Chair
University Hills Neighborhood Plan Contact Team

cc: UHNPCT
Greg Guernsey
Marc Ott
Ora Houston

Chaffin, Heather

From: Jeff Borchman [REDACTED]
Sent: Wednesday, August 19, 2015 8:00 PM
To: Chaffin, Heather
Subject: Boys and Girls - Legacy Club of Austin, Case # C14-2015-0086

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Ms. Chaffin,

I writing to express my support of the rezoning the 10.369 acres in the University Hills neighborhood for the Boys and Girls - Legacy Club of Austin's proposed use.

I attended the neighborhood meeting at University Hills Public Library on 8/17/15 and feel that the proposed development would be a good enhancement to our community and Austin in general.

Thank you for your time and efforts and please let me know if I can be of any assistance in helping this plan come to fruition.

Jeff Borchman
6608 Ashland Drive
Austin, TX 78723

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2015-0086

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Oct 13, 2015, Planning Commission
Nov 12, 2015, City Council

JUL. HONG

Your Name (please print)

☒ I am in favor
☐ I object

7112 E. Blueston Blvd #1405

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: *512-926-8405*

Comments:

No Comment

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810